



3732

PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/940545
		Filing Date	August 29, 2001
		First Named Inventor	Lloyd Wolfenbarger, Jr., et al.
		Art Unit	3732
		Examiner Name	David Comstock
Total Number of Pages in This Submission		Attorney Docket Number	64230-00005USD2

ENCLOSURES (Check all that apply)		
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Firm Name	JENKENS & GILCHRIST A PROFESSIONAL CORPORATION		
Signature			
Printed name	W. Jackson Matney, Jr.		
Date	February 15, 2005	Reg. No.	39,292



Docket No.: 64230-00005USD2  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Lloyd Wolfinbarger, Jr., et al.

Application No.: 09/940545

Confirmation No.: 5273

Filed: August 29, 2001

Art Unit: 3732

For: PLASTICIZED BONE AND SOFT TISSUE  
GRAFTS AND METHODS OF MAKING  
AND USING SAME

Examiner: David Comstock

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each of the non-patent references on the PTO/SB/08 is attached.

02/22/2005 HDENESS1 00000005 09940545

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In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 10-0447, under Order No. 64230-00005USD2. A duplicate copy of this paper is enclosed.

Dated: February 15, 2005

Respectfully submitted,

By 

W. Jackson Matney, Jr.

Registration No.: 39,292

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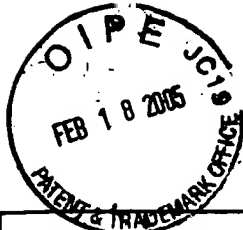
IN LIEU OF PTO-SB/08.

<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/940545
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				Examiner Name	David Comstock
Sheet	1	of	3	Attorney Docket Number	64230-00005USD2

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number-Kind Code <sup>2</sup> (if known)		
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	3	US-4776853	10/1988	Klomet, et al.
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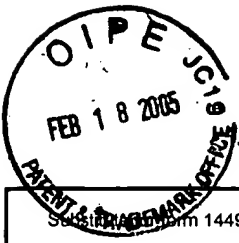
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
		Country Code <sup>2</sup>	-Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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